

DEPARTMENT OF THE NAVY
Office of the Secretary
Washington DC 20350-1000

SECNAVINST 1820.2A
Pers-921
3 May 1994

SECNAV INSTRUCTION 1820.2A

From: Secretary of the Navy
To: All Ships and Stations

Subj: VOLUNTARY RETIREMENT OF
MEMBERS OF THE NAVAL AND
MARINE CORPS RESERVE NOT ON
ACTIVE-DUTY LISTS (INCLUDING
TAR/FTS)

Ref: (a) Title 10, United States Code
(b) DODIR 1200.15 of 16 Feb 73 (NOTAL)
(c) SECNAVINST 1920.6A
(d) SECNAVINST 1910.4A (NOTAL)
(e) SECNAVINST 1850.4C (NOTAL)
(f) SECNAVINST 1811.3M
(g) OASD memo of 11 Mar 93 (NOTAL)

Encl: (1) Retirement of TAR/FTS and Inactive
Duty Personnel—General
(2) Voluntary Retirement of Officers of
the Navy and Marine Corps Reserve
(3) Voluntary Retirement of Enlisted
Members of the Navy and Marine
Corps Reserve
(4) Definitions

1. Purpose. To provide policy governing voluntary retirement in accordance with references (a) and (b), of inactive duty officers and enlisted members serving in the Navy and Marine Corps Reserve and those Naval and Marine Corps Reservists on active duty designated for Training and Administration of the Reserve (TAR) and as a Full Time Support (FTS), respectively. This is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 1820.2.

3. Applicability

a. This instruction applies to all inactive-duty officers and enlisted members of the Navy and Marine Corps Reserve components and all TAR/FTS officers and enlisted members not on the active-duty list who qualify for retirement.

b. Involuntary separation of officers for cause is covered in reference (c). Involuntary transfer to the Fleet Reserve of enlisted members for cause is covered in reference (d).

c. Disability retirement is covered in reference (e).

d. Retirements of Reserve officers on the active-duty list of the Navy and Marine Corps and transfer of Reserve enlisted members on active duty to the Fleet Reserve or Fleet Marine Corps Reserve, other than TAR/FTS personnel, are covered by reference (f).

e. Involuntary separation from the Selected Reserve Program which results in eligibility for early retirement under the "Transition Benefits Program" is addressed in reference (g).

4. Responsibilities. The Chief of Naval Personnel (CHNAVPERS) and the Commandant of the Marine Corps (CMC) are responsible for:

a. Establishing and implementing procedures to accurately determine eligibility and to notify, within 1 year following eligibility, each person qualified for retirement pay at age 60 per enclosure (1), paragraph 3 of this instruction. Additionally, advisement of available survivor benefit elections per the Reserve Component Survivor Benefit Plan will be included with the Notice of Eligibility. Included in this responsibility are periodic audits of the process.

b. Maintaining for the Secretary a retired list of members in the Retired Reserve, per section 1376 of reference (a).

c. Maintaining for the Secretary a retired list of members entitled to retired pay, per section 6017 of reference (a).

d. Maintaining instructions on how to apply for retirement.

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5. Form. DD 108 (4/87), "Application for Retired Pay Benefits," S/N 0102-LF-000-1083, is available in the Naval Supply System per NAVSUP P-2002.

FREDERICK F. Y. PANG
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

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RETIREMENT OF TAR/FTS AND INACTIVE DUTY PERSONNEL - GENERAL

1. Retirement of Reservists Not Qualified for Retired Pay

a. When requested by the member, the Chief of Naval Personnel (CHNAVPERS) or Commandant of the Marine Corps (CMC) may transfer inactive-duty reservists serving in pay grades O-6 and below and not eligible for retired pay to the Retired Reserve (without pay), in order to retain previously trained personnel in the Retired Reserve manpower pool. Members must qualify for an Honorable Discharge under the guidelines of references (c) and (d), have mobilization potential, and meet at least one of the following requirements:

(1) Completed 20 years of service and be a member of the Ready or Standby Reserve.

(2) Completed 10 years of active commissioned service.

(3) Must have attained 37 years of age on date of retirement and one of the following:

(a) Have completed 8 years of service with a minimum of 50 retirement points earned per year, after 1 July 1949;

(b) Have completed 8 years of service in a Reserve component provided they served honorably on active duty in time of war or national emergency for at least 6 months; or

(c) Consistently supported the Armed Forces in an outstanding manner, as determined by the Secretary of the Navy, considering the recommendations and supporting justification of CHNAVPERS or CMC.

b. Members in pay grades O-6 and below found physically disqualified for duty, not as result of their own misconduct (applying the provisions of reference [e]), may be transferred to the Retired Reserve (without pay) by CHNAVPERS or CMC. This transfer may occur regardless of total years completed, provided that the member's service was honorable and the member would be otherwise qualified for the honorable Discharge under reference (c) or (d).

2. Retirement of Inactive Duty Reservists Qualified for Retired Pay. CHNAVPERS or CMC may transfer an inactive duty reservist O-6 and below who completes the requirements specified in section 1331 of reference (a), upon request, to the Retired Reserve. Upon reaching age 60, a person is entitled, upon application, to

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be placed on the retired list and receive retired pay if the member:

- a. Has performed at least 20 years of qualifying service computed under section 1332 of reference (a); and
- b. Has performed the last 8 years of qualifying service as a member of a Reserve component of the Armed Forces or a component listed in section 1332(a) (1) of reference (a); and
- c. Is not entitled, under any other provision of law, to retired pay from an armed force or retained pay; and
- d. Does not meet any of the exclusions listed in paragraph (c), section 1331 of reference (a).

3. Notification of Eligibility for Retired Pay for Reservists Not on Active Duty. Reservists not on active duty who become eligible for retirement with pay at age 60 will be notified of their eligibility in accordance with reference (a). CHNAVPERS or CMC shall send a Notification of Eligibility (NOE) for retired pay to the member within 1 year of completing qualifying service. Additionally, advisement of available survivor benefit elections per the Reserve Component Survivor Benefit Plan shall be included in the NOE.

4. Voluntary Retirement of TAR/FTS Personnel. CHNAVPERS or CMC may transfer TAR/FTS personnel to the Fleet Reserve and Retired Reserve in accordance with sections 6323, 6330, and 6331 of reference (a), if they meet the following qualifications:

a. Officers. Officers must have 20 years of active service of which at least 10 years was service as a commissioned officer (until 30 September 1995, a minimum of 8 years of commissioned service required).

(1) Years of service are computed by adding all years of active service in the Armed Forces.

(2) Years of service as a commissioned officer are computed by adding all years of active service under temporary or permanent appointment in grades above Warrant Officer, W-1.

b. Enlisted Members. Enlisted members must have 20 years of active service in the Armed Forces.

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(2) A completed minority enlistment shall be counted as 4 years of active service as provided for in section 6330 of reference (a).

(3) An enlistment terminated within 3 months before the end of the term of enlistment shall be counted as active service for the full term as provided for in section 6330 of reference (a).

5. Voluntary Retirement of Flag and General Officers. Flag and general officers will be considered for voluntary retirement on the basis of service needs reflected in the annual promotion and continuation plans approved by the Secretary of the Navy and the merits of the individual case as required by Section 1370 of reference (a). All retirements of flag and general officers require Secretarial approval.

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VOLUNTARY RETIREMENT OF OFFICERS OF THE NAVY AND MARINE CORPS
RESERVE1. Reserve Officer Retirement Objectives

a. Department of the Navy policy is to provide for retirement to assist in meeting Reserve force management objectives. Those objectives are to maintain a vigorous Reserve force, reasonable promotion flow, and career opportunities for Reservists not on the active duty list. To support these objectives while providing equity and consistency in retirement options for Reserve officers not on the active duty list, the criteria in this instruction are intended to be applied uniformly, except as otherwise specifically provided.

b. Reference (a), section 6391, requires all officers in a grade above chief warrant officer, W-5, to be transferred to the Retired Reserve at 62 years of age unless retention has been specifically authorized by the Secretary of the Navy, per reference (a), Section 6392.

2. Retirement Requests. Retirement requests from officers who have not satisfied all the requirements for retirement contained in reference (a) or this instruction will not be approved. Officers selected for promotion after 1 October 1990 and who have accepted promotion to the next higher grade must meet the applicable minimum service-in-grade requirement in paragraph 4 or request retirement in their previously held grade. Frocking does not constitute acceptance of a promotion.

3. Authority to Approve Requests for Transfer to the Retired Reserve. CHNAVPERS or CMC, acting for the Secretary, is authorized to approve requests for retirements. This authority may not be further delegated. CHNAVPERS and CMC will normally deny, for the Secretary, requests for retirement which do not satisfy the policy and eligibility criteria established by this instruction.

4. Officer Retired Grade Determination

a. In accordance with section 1374 of reference (a), a Reserve commissioned officer who has been selected for promotion to a higher grade, but who must, because of age, years of service, or physical disability, retire before being promoted to the higher grade, shall be transferred to the Retired Reserve in the grade for which selected, unless entitled to a higher grade under any other provision of law.

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b. Unless entitled to a higher grade under any provision of reference (a), Reserve commissioned officers of the grade of ensign/second lieutenant and above who request voluntary retirement shall be retired in the highest grade served in which they satisfactorily upon completion of the following service-in-grade requirements:

(1) Inactive duty and TAR/FTS officers in the grades of O-1 through O-4: 6 months.

(2) Inactive duty officers in the grades of O-5 through O-8:

(a) 3 years, if no removal from active status boards are planned to be convened; or,

(b) 2 years, if the Secretary of the Navy plans to convene boards to recommend the removal from an active status of Reserve commissioned officers without their consent to maintain a smooth flow of promotion. Officers in those grades and competitive categories who would be considered by such boards shall be permitted to request voluntary retirement in their current grade, prior to that board. Retirements requested and approved under this provision may not be withdrawn without approval of the Secretary of the Navy.

(3) TAR/FTS officers in the grade of O-5 through O-8:

(a) 3 years active duty in grade, or,

(b) Subject to CHNAVPERS or CMC approval, 2 years active duty in grade (only through 1 October 1995).

c. For inactive-duty officers, the service-in-grade requirements listed above must be served in the Ready Reserve or Standby Reserve-Active status list. A minimum of 50 retirement points must be earned annually to satisfy each year of the time-in-grade requirement. Additionally, the CHNAVPERS or CMC shall, for the Secretary, make determinations of satisfactory service taking into consideration any misconduct, moral or professional dereliction which results in courts-martial or separation for cause. During times when Reserve Transition Benefits are being offered to Reservists to meet desired Force reductions, time-in-grade requirements in excess of minimum requirements specified in reference (a) may be waived by CHNAVPERS or CMC for inactive duty Reservists.

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d. Unless entitled to a higher grade under any provision of reference (a), Reserve commissioned officers who are involuntarily retired will be retired in the grade in which satisfactorily serving, so long as such service has been for a period of not less than 6 months.

5. Warrant Officers. Unless entitled to a higher grade under any provision of reference (a), warrant officers shall be retired in the grade held on the day before the date of retirement or in any higher warrant officer grade they served in satisfactorily on active duty, as determined by the Secretary, for a period of more than 30 days per section 1371 of reference (a).

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VOLUNTARY RETIREMENT OF ENLISTED MEMBERS OF THE NAVAL RESERVE
AND MARINE CORPS RESERVE

1. Reserve Enlisted Retirement Objectives. Department of the Navy policy provides for voluntary retirement to assist in meeting Reserve force management objectives. The objectives are to maintain a vigorous Reserve force, stable advancement opportunity, and reasonable career opportunities for all enlisted Reservists. To support these objectives while providing equity and consistency in retirement options, the criteria in this instruction will be applied uniformly, except as otherwise specifically provided.

2. Retirement Requests

a. Retirement requests from enlisted members who have not satisfied all requirements for voluntary retirement contained in this instruction will not be approved. Per reference (b), enlisted members, upon assignment or transfer to the Retired Reserve, shall be retired in the highest grade in which they have served satisfactorily as described in this paragraph, or in the highest grade eligible under any provision of reference (a). CHNAVPERS or CMC shall, for the Secretary of the Navy, make determinations of satisfactory service. Factors used in making this determination are:

(1) Time served in current or higher grade.

(2) Any report of misconduct, moral or professional dereliction, conduct not in the interest of national security, or conviction by court-martial.

(3) The nature and severity of any misconduct.

b. If the CHNAVPERS or CMC determines the member's service was not satisfactory in the highest grade, the retired grade will be that grade in which satisfactory service was last performed.

c. Advancement to E-7, E-8, or E-9 requires completion of 24 months' service in the new paygrade as a member of the Ready Reserve or Standby Reserve-Active, calculated from the effective date of advancement, prior to voluntary retirement in grade. Enlisted personnel who accept advancement must meet service-in-paygrade requirements prior to transfer to the Retired Reserve (without pay), the Fleet Reserve or Fleet Marine Corps Reserve. Members who do not complete the service-in-grade requirement must submit their request in the previously held paygrade. During

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times when Reserve Transition Benefits are being offered to Reservists to meet desired Force reductions, time in grade requirements may be waived by CHNAVPERS or CMC for inactive duty Reservists. Members involuntarily retired will be permitted to retire in the highest grade satisfactorily served as defined in paragraph 2a.

d. Frocking does not constitute acceptance of advancement. Additionally, members who through no fault of their own are unable to complete service-in-paygrade requirements may request a waiver from CHNAVPERS or CMC to permit retirement or transfer to the appropriate Fleet Reserve at the higher paygrade.

3. Authority to Approve Requests for Transfer to the Retired Reserve. CHNAVPERS and CMC, acting for the Secretary, will establish procedures for, and are authorized to approve, requests for transfer of enlisted members to the Retired Reserve. This authority may not be further delegated.

4. Qualification for Voluntary Retirement of Enlisted TAR/FTS Personnel. Per sections 6330 and 6331 of reference (a), TAR/FTS enlisted personnel shall, upon application, be transferred to the Fleet Reserve or Fleet Marine Corps Reserve if qualified after completion of at least 20 years of active service in the Armed Forces. Per section 6326 of reference (a), Full Time Support program personnel who accrue 30 years active service must transfer to the Fleet Reserve prior to assignment to the Retired Reserve. Years of active service in the Armed Forces are computed as defined in enclosure (1) of this instruction.

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DEFINITIONS

1. Active Commissioned Service. Service on active duty as a commissioned officer or commissioned warrant officer.
2. Active Service. Service on active duty.
3. Active Status. Service as a reserve member in the Ready Reserve Standby Reserve-Active, or on the active-duty list. Includes TAR/FTS personnel.
4. The Secretary. The Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy.
5. Ready Reserve. The Selected Reserve (SELRES) and the Individual Ready Reserve (IRR), consisting of units and individuals liable for immediate recall to active duty in time of war or national emergency declared by Congress, proclaimed by the President or when otherwise authorized by law.
6. Individual Ready Reserve. Ready Reservists who are in a non-drill pay status or in a non-drill status.
7. Inactive Duty. Service performed by reservists not on active duty (SELRES or IRR).
8. Voluntary Retirement. Retirement based on a voluntary request from an individual for transfer to the Retired Reserve which has not been the result of notification action requiring involuntary separation.
9. Involuntary Retirement. A Reservist who is notified of being removed from the Selected Reserve or an active status without his consent due to law, regulation or policy, and thereafter requests transfer to the Retired Reserve pursuant to that notification, is considered for purposes of this instruction to have been retired involuntarily.
10. Full-Time Support (FTS). Reserve component personnel assigned to assist in organizing, administering, recruiting, retention or training of Reserve component personnel. For the purposes of this instruction FTS members of the Marine Corps are Selected Reservists ordered to active duty with their consent for organizing, administering, recruiting, instructing, or training Marine Corps Reserve component units. FTS personnel in the Navy are designated TARS, Canvasser Recruiters, and Active Duty for Special Work (ADSW) personnel.

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11. Training and Administration of the Reserve (TAR). Naval Reserve personnel on full-time active duty but not on the active-duty list, designated for the training and administration of the Naval Reserve. Under Department of the Navy policy, TAR personnel are authorized continuous active duty on a career basis.

12. Qualifying Service. Accumulation of a minimum of 50 retirement points in an anniversary year is considered a "qualifying year" (satisfactory Federal service) for retirement purposes.

13. Standby Reserve, Active Status List. Reserve members transferred to the Standby Reserve but remaining in an active status who are liable for active duty only in time of war or national emergency declared by the Congress or when otherwise authorized by law.